



GREEN LINES
show FILING made
FOR VACANCIES

Levo JORDAN SURVEY

Road.

Where Stevens piled
his lumber for house in 1871.
J.T. STEVENS house
built in 1872. House is
10 Varas South
of S B line of Jordan League.

Gibbs

N 81° 5' W

line as marked on ground

Stevens

Box

NEWTON

HARRISON

map showing location
of J.T. Stevens house with
reference to S B line of Jordan League.

T.R. B. Smith an
Licensed State Land Surveyor -
Athens Texas.
-Rusk - Texas.

Oct 23, 1934.

Corner as
shown by Stevens
as being the common
corner of - Jordan,
- Jones, - Harrison
- Merndon as referred
to in Paragraphs
(nine) affidavit attached

J. A. SMITH,
SHERIFF

FRANK DEVEREUX, JR.
COUNTY JUDGE

J. W. CHANDLER, JR.
COUNTY ATTORNEY

W 3 72

A. M. VINING, DISTRICT CLERK
F. C. BINGHAM, COUNTY CLERK
C. L. ARNwine, TAX ASSESSOR
J. W. PEARSON, TAX COLLECTOR
E. S. ERWIN, COUNTY SUPT.
MRS E. DUPREE, COUNTY TREAS.

CHEROKEE COUNTY



COMMISSIONERS
W. H. MASON, PRECINCT NO. 1
B. M. RAY, " " 2
J. T. GRAVES, " " 3
A. M. JORDAN, " " 4
L. T. MOORE, COUNTY SURVEYOR

RUSK, TEXAS

October 22 nd, 1934

Mr. J H Walker, Commissioner,
General Land Office,
Austin, Texas.

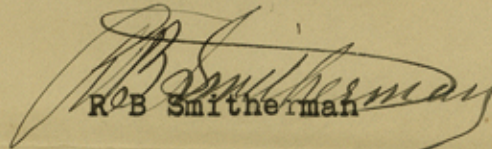
Dear Mr. Walker:

Enclosed herewith find the Original Affidavitt of Mr. J T Stevens in regard to the settlement of the S B Line of the Levi Jordan League, in Cherokee County, Texas, Attached thereto you will find a smaäl Platt showing the relation of Mr. Stevens House to the S B Line of the Jordan League.

You will find this statement of Mr Stevens rather full and to the point.

Hoping you are still feeling fine,
I am,

Very truly Yours,


R B Smitherman

RECEIVED

OCT 25 1934

REFERRED TO MAP

Adkins
10/26/34
B

x' 5

Counter 18177

THE STATE OF TEXAS

COUNTY OF CHEROKEE

See M.A. 27940 ref.

J. T. Stevens, being first duly sworn on his oath, states that he is familiar with the following described property, to-wit:

The South one-half of the Levi Jordan League in Cherokee County, Texas, as it is located upon the grounds, being just north of and adjoining the John M. Box Labor Survey upon which I erected my present homestead in the latter part of 1871 or the early part of 1872.

I was born in Cherokee County, Texas, in 1849 five miles East of my homestead upon which I have resided continuously since the year 1872. My homestead is located upon that portion of the John M. Box Labor Survey West of Little Creek and south of the South Boundary line of the Levi Jordan League as located upon the ground.

I am familiar with the location upon the ground of the South one-half of the South One-half of the Levi Jordan League, and the North One-half of the South One-half of the Levi Jordan League as it is located upon the ground. The South one-half, when I first knew it, was claimed by William and Edward Scott. A man by the name of William Wilcox was living upon the South One-half of the Levi Jordan League on what is now known as the Katharine and Mack Jones 101 acre tract. This 101 acre tract is a part of the 200 acres sold to E. J. Norton by Anna E. Chandler, a daughter of William Scott.

When I was a small boy I went to school with the children of William Wilcox. I remember we used to go to the home of William Wilcox when he lived upon the South one-half of the Levi Jordan League to get peaches. The Wilcox peach orchard was about the only peach orchard in that part of the country. William Wilcox was living at this place when I first remember and continued to reside there until about the year 1870, as best as I can recall, or just a short time before William Scott moved from Alabama to this country. A short time after William Wilcox moved out of this old house place William Scott with his family moved upon the same and continued to reside there as best as I can remember at this time for about 2 or 3 years, after which time he moved to Cook County, Texas.

It was always my understanding William Wilcox settled this place and resided upon the same as the tenant of William and Edward Scott.

William and Edward Scott partitioned the South One-half of the Levi Jordan League, Edward Scott taking the North half of the South-half and William Scott taking the South half of the South-half.

I am familiar with the location upon the ground of what has always been considered the South boundary line, the Southeast corner and the East boundary line of the Levi Jordan League, in so far as it affects the South One-half of the Levi Jordan League. I am also familiar with what has always been considered the Southwest corner of the Levi Jordan League as located upon the ground.

My first acquaintance with the actual location upon the ground with the boundary lines and corners to this South half was in the latter part of 1871 or the early part of 1872 just after I had purchased from Mrs. Emily J. Jones all that por-

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tion of the John M. Box Labor Survey located West and North of Little Creek. After purchasing this property, I moved timbers upon the ground to build a home. Just after the timbers were unloaded or a short time thereafter, Mr. William Scott came to me and notified me the lumber and timbers were upon his property as he owned the South half of the South half of the Levi Jordan League. Mr. Scott offered to have the South boundary line of the Levi Jordan League run out and established upon the ground. He had the oldest surveyor I ever knew, Mr. Absalom Gibson to run the South boundary line of the Levi Jordan League. It developed that the John M. Box Labor extended North and conflicted with the Levi Jordan League as it was located upon the ground. When surveying, they started at the Southeast corner of the Levi Jordan League, that is commonly recognized as the common corner between the Mary S. Harrison, Hosea R. Jones and the W. S. Herndon Surveys and the Levi Jordan League, and run North from this common corner 80 West. I was with the surveyor part of the time the line was being run, which line at the time was an old well established and marked line upon the ground.

After Mr. Absalom Gibson completed his survey, I moved my timbers South of the established line and built my home and such other improvements. Since that date I have recognized this line running upon an angle of about North 80 West as being the South boundary line of the Levi Jordan League as located upon the ground. So far as I have any knowledge all of the adjoining land owners upon both the North and South side of this South Boundary line of the Levi Jordan League, have recognized this as being the boundary line between the Levi Jordan League and the surveys to the South as located upon the ground. This line was an old marked line in 1871 or 1872 and was established upon the ground and is still recognized as being the true boundary line upon the ground.

William Scott divided the South half of the South half into three portions and gave to his daughter, Anna E. Chandler, the East 430 acres of the South half of the South Half; to his son, William L. Scott the middle 430 acres or the 430 acres just West of and adjoining Anna E. Chandler's 430 acres; to his other daughter, Harriett Chandler, a widow, the West 430 acres.

I was personally acquainted with Mr. William Scott and his family. When he came to this country with his wife their two daughters, Anna E. Chandler and her husband Albert Chandler, and Harriett Chandler, a widow, came with them and resided with them at the old William Wilcox or William Scott home place. It was always reported to me by the family of William Scott that Harriett Chandler's husband died back in Alabama before they came to this country. So far as I know she never remarried. A short time after William Scott and his family, Anna E. Chandler and husband, and Harriett Chandler left this country and moved to Cook County, Texas, the husband of Anna E. Chandler died. The son of William Scott, William L. Scott never resided in this part of the country.

A short time after William Scott moved to this country he and his son-in-law, Albert Chandler built a new home upon the South half of the South half upon what is now known as the Mack Jones 101.5 acres, all of which was a part of the 430 acres deeded by William Scott to Anna E. Chandler and was later conveyed by Anna E. Chandler to E. J. Norton.

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At the time in 1873 when William Scott and his family moved away from this part of the South half of the Levi Jordan League, the entire South half of the Levi Jordan League was wild, unenclosed and unoccupied except that portion of it which had been occupied and cultivated, approximately 25 or 30 acres, by William Wilcox and later by William Scott and his family. The only occupants of the South half of the Levi Jordan in 1873 had been William Wilcox and his family, and William Scott, his wife, Elizabeth Scott, a daughter, Anne E. Chandler and her husband Albert Chandler, and Harriett Chandler, widow, another daughter of William Scott.

I was never personally acquainted with Edward Scott, the brother of William Scott; he never resided in this part of the country. It was always reported to me by the family of William Scott that Edward Scott and his family resided in Alabama and that the said Edward Scott had two children, Ed Scott and Mrs. M.E. Carpenter, a daughter.

I am familiar with the East 430 acres of the South Half of the South half of the Levi Jordan League, being the same 430 acres deeded by William Scott and wife, Elizabeth, to Anna E. Chandler by deed recorded in Vol. D-2, page 72, Deed Records of Cherokee County, Texas. When William Scott moved away from this 430 acre tract in 1873 E. J. Norton into the house vacated by William Scott and lived there two years as a tenant of Anna E. Chandler. In 1875 E. J. Norton moved away for the said 430 acre tract and a man named Beasley occupied this house and place as tenant of Anna E. Chandler and lived there until about 1879. In 1879 E. J. Norton bought the North 200 acres of the said 430 acre tract from Anna E. Chandler and moved back into the house which he had previously occupied in 1873 as a tenant. There was only about 25 or 40 acres of land under fence and in cultivation at that time. E. J. Norton continued to live upon this land until his death in 1911, using, cultivating and claiming the same as his own.

In about 1900 Allen R. Norton, the son of E. J. Norton built a house in the Northwestern portion of this 200 acres or on what is now known as the 23.5 acre tract now owned by Tiddy Hassell.

Nancy Katharine Norton, daughter of E. J. Norton, married Mack Jones. In about 1901 Mack and Katharine Jones built a house upon the central northern portion of this 200 acre tract.

After E. J. Norton's death in 1911 this 200 acre tract was divided, Allen R. Norton received the West 98.5 acres and Nancy Katharine Jones and her husband received the East 101.5 acres. Mack and Katharine Jones have continued to live upon this 101.5 acres up to the present time. They now have about 85 acres of the said 101.5 acres under fence, a part of which is under cultivation.

In 1915 Allen Randolph Norton sold his 98.5 acres to J. W. Wilcox. Norton moved away in January, 1916. During 1916 Frank Bazer cultivated the said 98.5 acres as tenant of J. W. Wilcox. In the fall of 1916 J. W. Wilcox built a house on the 75 acres, a part of the 98.5 acres and about the same time A. R. Norton re-purchased from J. W. Wilcox the 23.5 acres, or that portion of the 98.5 acres West of the Public Road that is now owned by Tidy Hassell.

In December, 1916, A. R. Norton moved back into the old house he had formerly occupied which was located upon the 23.5

acres and resided there continuously until 1924. During the year 1924 he moved away and Mack Jones as the tenant of A. R. Norton cultivated this property. Then A. R. Norton moved back upon the property and continued to reside on the same until he sold the place to Tidy Hassell in 1930. In the year 1931 Will Dilliard cultivated the place as a tenant of Tidy Hassell; and in the year 1932, Isiah Creel cultivated the place as a tenant of Tidy Hassell; and in 1933 Jess Massey cultivated the place as a tenant of Tidy Hassell; and in the year 1934, Alton Jones cultivated the place as a tenant of Tidy Hassell.

W. E. Langston cultivated the 75 acres in 1917 as the tenant of J. W. Wilcox. In the early part of 1918, J. W. Wilcox moved on this 75 acres and has continued to reside upon the same each and every year since and still so resides.

In 1903, Anna E. Chandler sold T. L. Dilliard the West 150 acres of the South 230 acres of the 430 acre tract formerly deeded to her by her father, William Scott; and Anna E. Chandler sold to J. W. Wilcox the East 80 acres of the South 230 acres of the 430 acre tract of the South Half of the Levi Jordan League.

After T. L. Dilliard purchased this 150 acres in 1903 he built a house, moved into the same with his family and cleared about three acres of land and put under cultivation. Prior to this date no part of this 150 acres had been enclosed within the bounds of a fence or in cultivation. About the year 1911, T. L. Dilliard cleared and put under cultivation about 20 or 25 acres of additional land, fenced, cultivated and used in connection with his homestead up to the time of his death, August 4, 1934, and his wife still resides upon and occupies the same as a homestead.

In 1920 T. L. Dilliard conveyed to his son, W. L. Dilliard 42.5 acres and 7.5 acres in another tract, a part of the original 150 acres as shown by deed dated September 18, 1920, recorded in Vol. 86, page 488, Deed Records of Cherokee County, Texas. At that time only about 2.5 acres of the two tracts was under fence and in cultivation, but, in 1923 W. L. Dilliard moved upon the 42.5 acres, cleared and put under cultivation about 20 or 25 acres and continued to reside upon the same as his homestead since and still so resides.

In 1905, E. Wilcox bought from his son, J. W. Wilcox the East 80 acres of the 230 acres of the 430 acre tract, known as the Anna E. Chandler 430 acre tract. He erected a house upon the same and cleared up and put in cultivation some 10 or 12 acres of land and enclosed the same within the bounds of a fence together with about 30 acres of additional land. He resided continuously upon the same until his death in 1916. At the time of his death he had practically all of the 80 acres enclosed within the bounds of a fence. This 80 acres of land, after the death of E. Wilcox, was acquired by his son, E. J. Wilcox who later sold to A. E. Hutchins the North 30 acres and has continued to reside upon and hold, use and occupy as his homestead the South 50 acres of the 80 acre tract.

In 1930 when A. E. Hutchins acquired the North 30 acres of this 80 acres he moved upon the same and has continued to reside upon the same, cultivate, use and occupy it as a homestead and still so resides.

In 1894 the heirs of William L. Scott received the middle 430 acres of the South half of the South half of the Levi Jordan League and sold J. O. Huggins 122 acres out of this 430 acres.

At this time no part of the 122 acres of the 430 acres of which it was a part had been under fence and in cultivation, but J. O. Huggins moved upon the 122 acres, erected a house, cleared and put under cultivation about 10 or 15 acres of land and has continued to reside upon this 122 acres each and every year up to and including the present time. J. O. Huggins sold 5 acres of the 122 acres to the affiant, J. T. Stevens a short time after he acquired the 122 acres, and this affiant has this 5 acres in possession at the present time and has had since the date of purchase. The said J. O. Huggins from time to time extended the bounds of his fences and for the past several years has had the whole of the 122 acres less the 5 acres enclosed within the bounds of a fence and in possession up till a short time ago when he sold his son a house-site of about 1.5 acres. This 1.5 acres is now in the possession of and resided upon by J. E. Huggins.

In 1924 J. O. and J. E. Huggins, father and son, purchased the balance of this middle 430 acre tract and later had a partition between themselves of the same. They have put under cultivation portions of the land and erected a fence around the whole and have held continuous possession of the same since 1924; however, after the partition of J. O. and J. E. Huggins J. O. Huggins sold to his son-in-law, J. W. Hassell a tract of about 1.5 acres in the Southwest corner of the portion set aside for him in the partition deed. J. W. Hassell erected a home on this 1.5 acres and resides upon the same at this time and has so resided since he acquired the same.

In 1902 U. B. Bolen purchased from the heirs of William Scott the West 430 acres of the South one-half of the South one half of the Levi Jordan League, erected a house upon the same, moved upon it with his family, and continued to reside on the land, using it as his homestead, and erected a fence around the entire property. He resided there continuously up until the time he sold the same to T. F. L. Hassell in the year 1917. The said T. F. L. Hassell and his sons have since continued to cultivate, use and occupy, claim and own this 430 acres since 1917 up to and including the present time. As I understand it at this time, the eight sons of T. F. L. Hassell own this 430 acres jointly, I do know they have it in possession, using and occupying it.

So far as I have any knowledge, no one has ever made any claim to, or questioned the rights, claim or title to any of this property adverse to the present claimants and those through and under whom they claim title thereto.

Further saith affiant not.

J. T. Stevens

Subscribed and sworn to before me this 22nd day of October, 1934.

Laura Savage
Notary Public, Cherokee County, Texas.

THE STATE OF TEXAS X
COUNTY OF CHEROKEE X

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally ap-

peared J. T. Stevens, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 22nd day of October, A. D. 1934.

Laura Savage
Notary Public, Cherokee County, Texas
Counter 18182

Cherokee County

Filed October 25, 1934

J.H. Walker, Com. Blucher, clk.

Affidavit of J.T. Stevens relative to south line of Levi Jordan League.

In 1919 I purchased from the heirs of William Jordan a tract of land containing 430 acres... I have since that time resided upon the same... I have since that time resided upon the same... I have since that time resided upon the same...

Further with a view to... I understand it at this time, the eighth year of T. T. Russell... I have since that time resided upon the same... I have since that time resided upon the same...



Notary Public, Cherokee County, Texas. J.T. Stevens. October 25, 1934. Counter 18183